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In re Application of :
KRANDA et al. :
Application No.: 10/517,435 :
PCT No.: PCT/EP03/06266 :
Int. Filing Date: 13 June 2003 :
Priority Date: 13 June 2002 : DECISION ON
Attorney Docket No.: GULDE-0054 : PETITION UNDER
For: USE OF DOPAMINE PARTIAL : 37 CFR §1.181
AGONISTS FOR THE TREATMENT :
OF THE RESTLESS LEGS SYNDROME :
AND CORRESPONDING PHARMACEUTICAL :
PREPARATION :

This decision is rendered in response to Applicants' "Petition To Revive," filed in the United States Patent and Trademark Office (USPTO) on 21 November 2006. The petition alleges non-receipt of a paper for which a response was due, so the petition is being considered under 37 CFR §1.181 as a petition for withdrawal of the holding of abandonment. No petition fee is required.

BACKGROUND

On 13 June 2003, Applicants filed international application number PCT/EP03/06266, which claimed a priority date of 13 June 2002. Pursuant to 37 CFR §1.495, the thirty-month period for entry into the National Stage expired at midnight on 13 December 2004.

On 10 December 2004, Applicants filed a transmittal letter for entry into the national stage in the United States accompanied by the basic national fee and a copy of the international application *inter alia*.

On 29 November 2005, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements under 35 USC 371 (Form PCT/DO/EO/905) indicating that Applicants were required to submit an oath or

declaration in compliance with 37 CFR §1.497(a) and (b) and a surcharge of \$130 within two months of the mailing of that notice or within 32 months of the priority date, whichever was later.

On 12 July 2006, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Abandonment, indicating that the application was held abandoned for failure to respond to the Notification of Missing Requirements under 35 USC 371 (Form PCT/DO/EO/905).

Applicants filed a "Petition To Revive" in the United States Patent and Trademark Office (USPTO) on 21 November 2006.

DISCUSSION

A review of the application file reveals that the Notification of Missing Requirements under 35 USC 371 (Form PCT/DO/EO/905) was sent to the wrong address.


CONCLUSION

For the reasons above, the petition for withdrawal of the holding of abandonment of the above-named abandoned application is hereby **GRANTED**.

The Notification of Missing Requirements under 35 USC 371 (Form PCT/DO/EO/905), mailed 29 November 2005, and the Notification of Abandonment (Form PCT/DO/EO/909), mailed 12 July 2006, are hereby **VACATED**.

This application is being forwarded to the DO/EO/US for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 USC 371 (Form PCT/DO/EO/905) to the address associated with customer number 23,599.

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